

BOROUGH OF LONGPORT

Atlantic County - New Jersey

Resolution 2020 – 76

**AUTHORIZING A CHANGE ORDER TO AN INFORMAL BID CONTRACT TO
A.C. SCHULTES, INCORPORATED OF WOODBURY, N.J.
FOR IMPROVEMENTS TO WELL NUMBER 1
AT THE PUBLIC WORKS COMPLEX - 31st and Devon Avenue**

WHEREAS, the Borough of Longport previously awarded without Public Advertising in conformance with the Local Public Contracts Law (40A:11-3) an informal Contract in the amount of **\$25,330.00** with A.C. Schultes, Incorporated for Improvements to Well Number 1; and

WHEREAS, during the course of the work the Contractor encountered an unanticipated condition that prevented operation of the new motor and pumping equipment; and

WHEREAS, the Contractor has provided communications with the Borough explaining the factual circumstances which necessitate the issuance of said change order; and

WHEREAS, after meeting with the Municipal Administrator, Municipal Solicitor, and Municipal Engineer, the Contractor has agreed to perform certain additional work, including but not limited to, cleaning and televising of the well along with reinstallation of the pumping equipment with an assurance that the work will be successfully completed for a fixed fee of not more than \$14,669.00; and

WHEREAS, the issuance of this Change Order will result in 58% increase in the original contract amount awarded under Resolution 2020-40, dated February 19, 2020; and

WHEREAS, it is the recommendation of the Municipal Administrator, Municipal Solicitor, and Municipal Engineer that the Governing Body approve this Change Order with the understanding that, should the reinstallation of the new pumping equipment be performed and not be reasonably functional, the Contractor shall not be entitled to any monies, including the original Contract Amount.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Longport that it hereby approves a Change Order to the Original Informal Amount of **\$25,330.00** for the additional amount of **\$14,669.00** bringing the Total Adjusted Contract Amount to **\$39,999.00**. and

BE IT FURTHER RESOLVED that a Notice of this Change Order shall be published in the Official Newspaper indicating the additional amount of the expenditure, the original contract price, the additional nature of the work, and why it is necessary to expend the additional funds; and

BE IT FURTHER RESOLVED the Municipal Clerk shall report to the Director of the N.J. Division of Community Affairs on an Appendix to the Borough's Annual Budget on a Form provided by the Director; and

BE IT FURTHER RESOLVED that a Certificate of Availability of funds is hereby attached to this Resolution.

RECORDED VOTE OF GOVERNING BODY						
Commissioner	Motion	Second	Aye	Nay	Not Voting	Absent
RUSSO	X		X			
LAWLER		X	X			
LEEDS			X			

x-indicates vote

NV-not voting

AB-absent

MOT-motion

SEC-Second

Adopted: 6/3/2020

**MONICA A. KYLE, RMC
MUNICIPAL CLERK**